WILLIAMS JESSIE M
78 GEORGETOWN 581

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ACTION SCS-06
INFO OCT-01 ARA-10 ISO-00 CA-01 L-03 H-01 PA-05 /027 W
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P 171805Z FEB 78
FM AMEMBASSY GEORGETOWN
TO SECSTATE WASHDC PRIORITY 6261
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E.O. 11652: N/A
TAGS: CASC (STOEN, JOHN VICTOR)
SUBJECT: W/W JOHN VICTOR STOEN
REF: (A) STATE 03443; (B) GEORGETOWN 0549; (C) STATE 41710

1. ATTORNEY GENERAL MOHAMED SEAHABUDDEEN, WHO IS NEWLY APPOINTED MINISTER OF JUSTICE, ASKED CONSUL TO RE-SCHEDULE FEB. 16 APPOINTMENT DUE TO PROTOCOLARY DUTIES RELATED TO GHE TAKING UP OF HIS NEW MINISTERIAL PORTFOLIO. THEY WILL NOW MEET EARLY NEXT WEEK. CONSUL INTENDS TO DISCUSS STOEN CASE ALONG LINES MENTIONED PARA THREE REFTEL B AT THAT TIME.

2. EMB HAS CONSIDERED PROPOSAL (REF A), AND WE HAVE DECIDED NOT TO SEEK AUTHORITY TO RETAIN A LOCAL ATTORNEY FOR THE FOLLOWING REASONS:

(A) WE BELIEVE THAT IF A LAWYER WERE ENGAGED BY THE EMB FOR THE PURPOSE OXMPROVIDING PROFESSIONAL COUNSEL ON THE STOEN CASE, THAT FACT WOULD IMMEDIATELY BECOME COMMON KNOWLEDGE IN THIS SMALL LEGAL COMMUNITY AND WOULD BE SUBJECT TO SPECULATION AND MISINTERPRETATION.

(B) IT IS QUITE POSSIBLE THAT ONE OR BOTH PARTIES INVOLVED IN THIS PROCESS WOULD CONCLUDE THAT THE USG WAS CONSPIRING WITH THE OTHER SIDE.

(C) THERE IS ALSO THE POSSIBILITY THAT THE HIRING OF A LAWYER COULD BE INTERPRETED BY THE GOG AND/OR THE

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JUDICIARY AS AN EFFORT TO APPLY EMBASSY PRESSURE IN THIS CASE.

3. FROM THE OUTSET, IN OUR CONTACTS WITH THE STOENS, WITH THEIR LAWYER, WITH THE PEOPLE'S TEMPLE AND THEIR LEGAL COUNSEL, AS WELL AS WITH THE GOG, WE HAVE REPEATED TIME AFTER TIME THAT THE EMBASSY IS NOT CONCERNED WITH THE OUTCOME OF THIS CASE, AND THAT OUR PRINCIPAL CONCERN IS THAT THE MATTER BE DECIDED STRICTLY ON ITS LEGAL MERITS AND THAT THE RIGHTS OF ALL PARTIES BE RESPECTED AND GIVEN FAIR AND EQUAL CONSIDERATION IN ACCORDANCE WITG GUYANESE LAW. EMBASSY'S CONTINUED CONTACT WITE LAWYERS OF BOTH SIDES SEEMS APPROPRIATE AND NECESSARY IF EMBASSY IS EXPECTED TO MONITOR THIS PROCEEDING (PROVIDED THAT THEY AND THEIR CLIENTS CONTINUE AGREEABLE TO SUCH CONTACT.)

4. WE HAVE JUST SEEN REFTEL C AND FIND FIRST SENTENCE OF PARA 2 OF THAT REFERENCE INCONSISTENT. IN STATE 39014 WE WERE REQUESTED TO APPROACH THE GOG, PRESUMABLY THE

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JUDICIAL BRANCH, TO DETERMINE WHEN A JUDGMENT WOULD BE RENDERED IN THIS MATTER. AS HAD BEEN REPORTED (GEORGETOWN 0147), JUDGE IN THE STOEN CASE HAS SHOWN HIMSELF TO BE ACUTELY SENSITIVE TO WHAT HE VIEWED AS OUTSIDE PRESSURE IN THIS MATTER AND STOEN'S LAWYER HAD EARLIER EXPRESSED TO US THE OPINION THAT AN ATTEMPT FROM WHATEVER QUARTER TO PRESS THE JUDGE IN THE RENDERING OF HIS OPINION COULD ADVERSELY AFFECT HIS CASE. ACCORDINGLY, WE FELT IT NOT ONLY APPROPRIATE, BUT EVEN ADVISABLE, TO CONTACT THE STOEN'S COUNSEL TO DETERMINE HIS LATEST VIEW OF THE CASE AND WHETHER, IN HIS VIEW, IT WAS PROCEEDING IN A NORMAL ROUTINE MANNER.

5. AS OF NOW, NEITHER THE STOENS NOR THE PEOPLE'S

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TEMPLE HAVE INDICATED TO US THEIR CONCERN THAT THE MATTER IS BEING EXCESSIVELY DELAYED NOR HAVE THEY INDICATED ANY DISSATISFACTION WITH THEIR LOCAL LEGAL COUNSEL. OUR FEELING IS, THEREFORE, THAT THIS POINT IS WORTH MAKING TO PARTIES UNINVOLVED LEGALLY IN THIS MATTER.

6. AS STATED IN PARA 1 ABOVE, CONSUL WILL BE MEETING WITH MINISTER OF JUSTICE DURING THE WEEK OF FEB. 19 TO ELICIT CERTAIN GENERAL INFORMATION REGARDING GUYANESE STATUTE GOVERNING CUSTODY CASES. A REPORT ON THAT INTERVIEW WILL BE SUBMITTED PROMPTLY.

BURKE

NOTE BY OC/T: REFERENCE (A) APPEARS TO BE INCORRECT.

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